

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

APR 9 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CALEB L. McGILLVARY,

Plaintiff - Appellant,

v.

LAMONT DORSEY,

Defendant - Appellee.

No. 23-4041

D.C. No.

3:22-cv-05883-JNW

Western District of Washington,
Tacoma

ORDER

Before: Lisa B. Fitzgerald, Appellate Commissioner.

Appellant's motion to proceed in forma pauperis (Docket Entry No. 5) is granted. Even so, the full \$505 in fees for this appeal will be collected when adequate funds are available in appellant's prison trust account. *See* 28 U.S.C. § 1915(b)(1), (b)(2). The fees will continue to be collected regardless of how or when this appeal ends. *See* 28 U.S.C. § 1915(b)(2), (e)(2).

Within 21 days, appellant must complete the enclosed authorization form and file it with this court. If appellant does not do so, the court will dismiss the appeal. *See* 9th Cir. R. 42-1.

Appellant's motion to proceed on the original record (Docket Entry No. 11) is unnecessary. This court has access to the full district court record.

Briefing is complete.

The Clerk will serve this order and a prison authorization form on appellant.